



HOWARD TERMINAL BAY PLAN AMENDMENT 2-19

BCDC Commission Briefing on the Port Priority Use Designation

November 21, 2024

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HOWARD TERMINAL

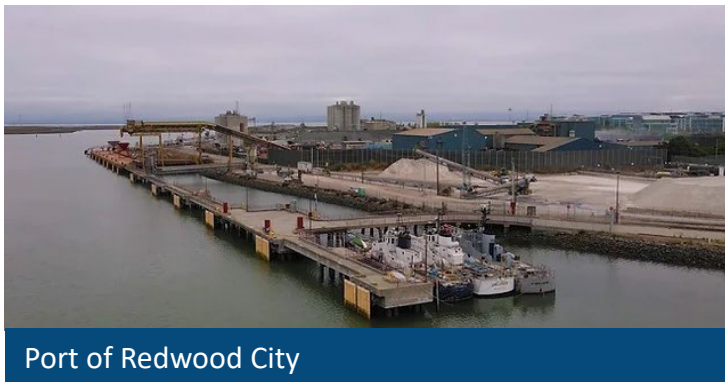
Oakland Port Priority Use Area and Howard Terminal



- Howard Terminal at the Port of Oakland.
- Total area 56 acres.

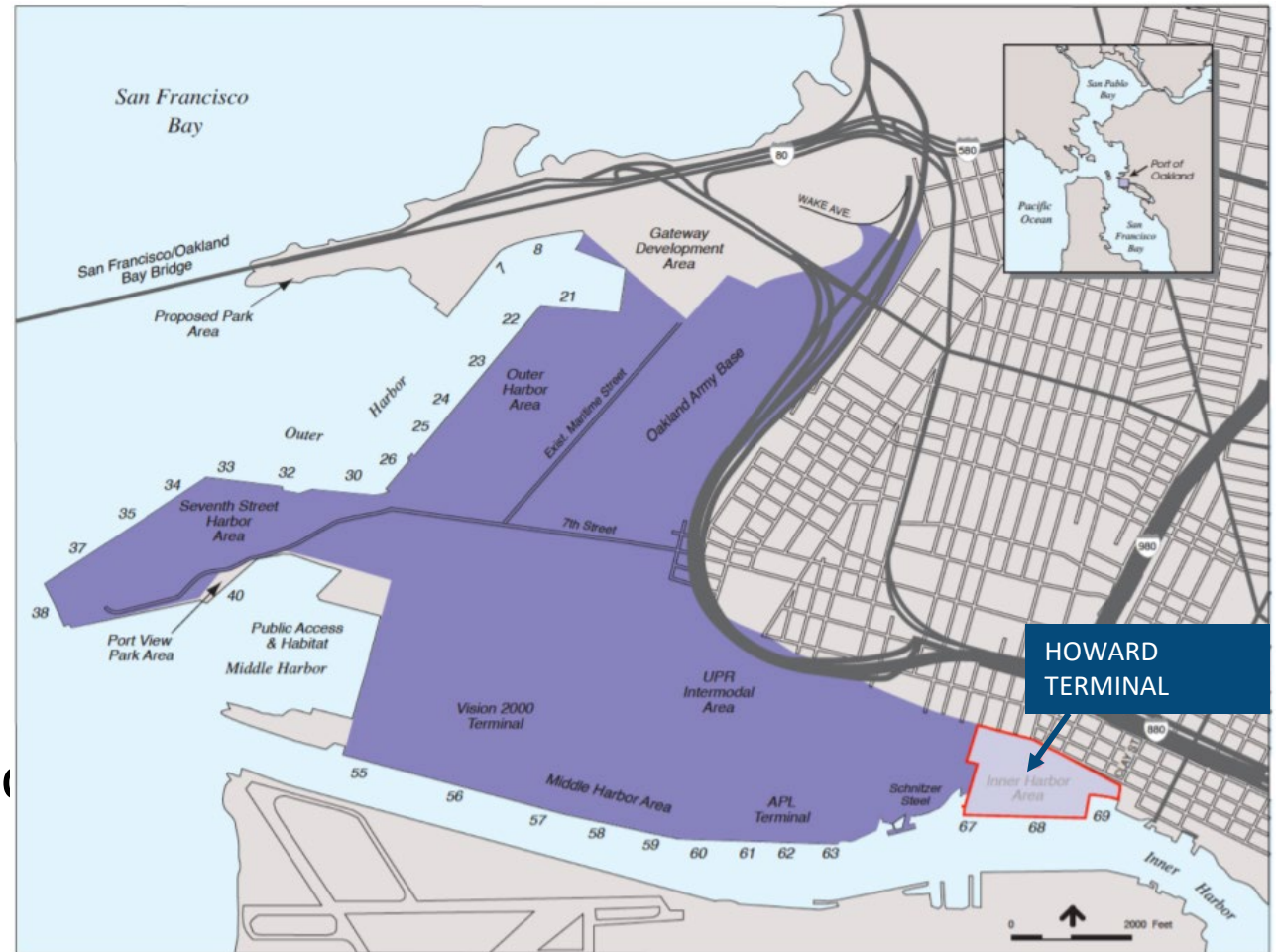
PORT PRIORITY USE AREAS (PPUAs)

- Areas determined necessary for future port development are designated as PPUAs and are reserved for port-related and other uses that will not impede development of the sites for port purposes.
- Includes marine terminals and directly related ancillary activities.



BAY PLAN AMENDMENT 2-19

- January 2019: Oakland Athletics' request to amend the Seaport Plan and Bay Plan to remove the Port Priority Use Area designation from Howard Terminal at the Port of Oakland.
- Amendment scope: is Howard Terminal needed for regional Port Priority use?
- June 30, 2022 – Commission votes to remove Port Priority Use Area designation from Howard Terminal.



AB 1191 (BONTA, 2019)

- Set a deadline on BCDC's action on BPA No. 2-19 but did not change substantive requirements of BCDC's consideration to remove a PUA designation.
- Even if the Commission decides to remove the Priority Use Area, if the A's don't enter a binding agreement by January 1, 2025, the Port Priority Use Area designation is automatically reinstated.

“...if the port and the Oakland Athletics have not entered into a binding agreement by January 1, 2025, that allows for the construction of the Oakland Sports and Mixed-Use Project, the port priority use designation shall be automatically reinstated on the Howard Terminal property as if it had not been deleted pursuant to BCDC's Seaport Plan and Bay Plan amendment process.”

POST-BPA DEVELOPMENTS

- LITIGATION: East Oakland Stadium Alliance v. BCDC, filed on July 29, 2022
- OAKLAND A's TO LAS VEGAS: In April 2023, the Oakland Athletics announce they will relocate to Las Vegas, Nevada.
- LITIGATION SETTLED: BCDC settles litigation on April 16, 2024.

- BCDC never received a permit application for the Ballpark project.
- Since no agreement has been reached between the Oakland Athletics and the Port of Oakland, the Port Priority Use Area for Howard Terminal will be automatically reinstated per operation of Section 8(b) of AB 1191. No Commission action is required to legally reinstate the PUA designation.

FUTURE IMPLICATIONS

- Port Priority Use Area will apply to the Howard Terminal site.
 - All future development must be consistent with the Port Priority Use.
- Any future application to remove the Port Priority Use Area will be governed by the updated Seaport Plan – approved November 16, 2023.

BCDC LONG-RANGE PLANNING



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